



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MCGINN INTELLECTUAL PROPERTY LAW
GROUP, PLLC
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VA 22182-3817

COPY MAILED

JUL 19 2006

OFFICE OF PETITIONS

In re Application of	:	
Makoto Inoue et al	:	
Application No. 09/987,194	:	DECISION ON PETITION
Filed: November 13, 2001	:	TO WITHDRAW
Attorney Docket No. KYO005-US	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed March 7, 2006.

The request is **NOT APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).


The request cannot be approved because 37 CFR 10.40 states, “[a] practitioner shall not withdraw from employment in a proceeding before the Office without permission from the Office[.]” Additionally, 37 CFR 10.40 states, “[i]f paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matters pending before the Office unless such request or such withdrawal is because: [. . .]” Reasons a practitioner can permissively withdraw follow the later quotation.

Since the request for withdrawal as attorney or agent submitted on March 7, 2006 provides no reasons for withdrawal, the Office cannot at this time determine whether practitioner’s request is one of the mandatory or permissive reasons enumerated in 37 CFR 10.40. Any subsequent requests must include reasons for withdrawal. Please note that there is a space provided for on PTO/SB/83 (Request for Withdrawal as Attorney or Agent) to supply practitioner’s reasons.

There is an outstanding Office action mailed April 5, 2006 that requires a reply from the applicant.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at 571-272-3210.


Denise Pothier
Petitions Examiner
Office of Petitions

cc: Mr. Kenji Suzuki, Patent Attorney
2-1-10-206, Sasazuka, Shibuya-ku
Tokyo, Japan 151-0073